

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 15 April 2008 has been entered.

Claim Rejections - 35 USC § 112

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear to what the first and second sides belong.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-14 and 16-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Stier (WO 99/47362 A1).

Claims 1 and 16: printer (abstract); package member (20); sheet package (10); flap member (18); first fastening member (38); first side (24); second fastening member (36); second side (22); (Regarding the Claim 16 (and 17), see MPEP § 2115, "Material Or Article Worked Upon Does Not Limit Apparatus Claims");

Claim 2: flap member (18); portion of the package member (26);

Claim 3: package member (20); portion (26); prescribed part (32);

Claim 4: package member (20); tongue part (18); portion of the package member (26); pressing member (page 2, line 15); roller (Claims 8/10); printer (abstract); (Note: since there is a roller, the pressing member either may directly push the sheets, or the roller may press the sheets against the pressing member that is in static position (reactive force).)

Claim 5: package member (20); first cut (36); second side (22); portion of the package member (26);

Claim 6: package member (20); second cut (38); first side (24); portion of the package member (26);

Claim 7: second cut (38); tongue part (18);

Claim 8: package member (20); sheet packages (10); part of the package member (26); first cut (24); (Note: packages "can be" connected together in at least a lateral aligned state.)

Claim 9: package member (20); wrapping part (40/42); part of an outside of the tongue part (area of 24 near 40/42); tab (40A);

Claims 10 and 17: printer (abstract); package member (20); sheet package (10); base (24); flap part (26); tongue part (18); first wrapping part (40A); second wrapping part (40B);

Claim 11: crease (34); flap part (26); base (24); package member (20);

Claim 12: tongue part (18); base (24); flap part (26);

Claim 13: base (24); cut (38); flap part (26); sheet package (10);

Claim 14: tongue part (18); cut (36); flap part (26).

Claim Rejections - 35 USC § 103

Claims 1-13 and 16-17, as understood by the Examiner, are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent 48-104334 ("JP48") in view of Fujiwara (WO 200189957 A1) and further in view of Miller (US 2004/0089671 A1). JP48 discloses:

Claims 1 and 16: printer (title; Note: since JP48 is a copier, there is inherently a printer portion.); package member (1); sheet package (1); flap member (3; Note: 3 is *capable of* covering the sheets when closed since (a) 3 covers a portion of the sheets as shown in figure 2, or (b) part 5 is *capable of* being placed over the sheets to completely cover the sheets up. Regarding the Claim 16 (and 17), see MPEP § 2115, "Material Or Article Worked Upon Does Not Limit Apparatus Claims");

Claim 2: flap member (3); portion of the package member (3);

Claim 3: package member (1); portion (3); prescribed part (5);

Claim 4: package member (1); tongue part (See figure 4 below, A); portion of the package member (3); pressing member (11); roller (13); printer (title);

Claim 5: package member (1); first cut (See figure 2 below, B); portion of the package member (3); (Note: 3 “can be engaged” with B since 5 *is capable of* moving up or attaching to 3 at B.)

Claim 6: package member (1); second cut (See figure 2 below, C); portion of the package member (3); (Note: 3 “can be engaged” with C since 5 *is capable of* moving up or attaching to 3 at C.)

Claim 7: second cut (C); tongue part (A);

Claim 8: package member (1); sheet packages (1); part of the package member (5); first cut (B); (Note: one configuration of a plurality of sheet packages is the following: two sheet packages facing each other with 5 cut off at B and C *can be* connected together in an aligned state by having 5 halfway inserted into both sheet packages. Other configurations are possible.)

Claim 9: package member (1); wrapping part (See figure 2 below, D); part of an outside of the tongue part (See figure 2 below, G); tab (5); (Note: 5 *can be* used to remove 1 from the printer with adhesive or some other mechanism between 1 and 5.)

Claims 10 and 17: printer (title); package member (1); sheet package (1); base (1 on the 11 side); flap part (3); tongue part (See figure 4 below, A); first wrapping part (See figure 2 below, D); second wrapping part (opposed to D);

Claim 11: crease (See figure 4 below, H); flap part (3); base (1 on the 11 side); package member (1); flap part (3);

Claim 12: tongue part (A); base (1 on the 11 side); flap part (3).

JP48 does not directly show a first or second fastening member (Claim 13: cut) located on a first and second side, respectively.

Fujiwara shows a similar device having a first fastening member (paragraph [0064], "tape") for the purpose of protecting the sheets while sheets are being stored or fed right up until the sheets are set in a printer (paragraph [0014]). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention to modify JP48 as taught by Fujiwara and include Fujiwara's similar device having a first fastening member for the purpose of protecting the sheets while sheets are being stored or fed right up until the sheets are set in a printer.

Miller shows a similar device having a second fastening member (56) for the purpose of securely and releasably retaining the flap member or part (paragraph [0035]). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention to modify JP48 as taught by Miller and include Miller's similar device having a second fastening member for the purpose of securely and releasably retaining the flap member or part.

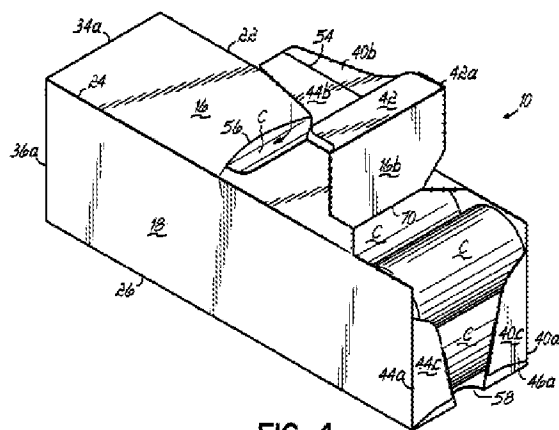


FIG. 4

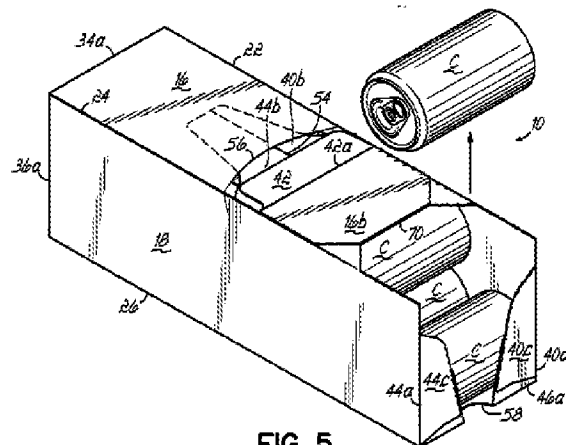


FIG. 5

Miller (US 2004/0089671 A1)

Claims 1-11 and 16-17, as understood by the Examiner, are rejected under 35 U.S.C. 103(a) as being unpatentable over Medoff (US 1,883,852) in view of Fujiwara and further in view of Miller. Medoff discloses:

Claims 1 and 16: package member (See Fig. 3, 1); sheet package (1); flap member (See Fig. 5, 7); (Note: the *intended use* of the *sheet package* is for setting it in a printer. The sheet package of Medoff is *capable of* being set in a printer. Regarding the Claim 16 (and 17), see MPEP § 2115, "Material Or Article Worked Upon Does Not Limit Apparatus Claims")

Claim 2: flap member (7); portion of the package member (7);

Claim 3: package member (1); portion (7); prescribed part (not shown; material surrounding 7);

Claim 4: package member (1); tongue part (See Fig. 3 (*not* Fig. 5), 7); portion of the package member (See Fig. 5, 7); (Note: the *intended use* of the *sheet package* is for

setting it in a printer with a pressing member and roller. The sheet package of Medoff is *capable of* being set in a printer with a pressing member and roller.)

Claim 5: package member (1); first cut (8); portion of the package member (See Fig. 5, 7);

Claim 8: package member (1); sheet packages (1); part of the package member (See Fig. 5, 7); first cut (8); (Note: one configuration of a plurality of sheet packages is the following: two sheet packages (Fig. 1) facing each other *can be* connected together in an aligned state by having 7 (Fig. 3) inserted into 8 of the other sheet package. Other configurations are possible.)

Claim 9: package member (1); wrapping part (3); part of an outside of the tongue part (2); tab (See Fig. 5 below, J);

Claims 10 and 17: package member (See Fig. 3, 1); sheet package (1); base (5); flap part (See Fig. 5, 7); tongue part (See Fig. 3 (*not* Fig. 5), 7); first wrapping part (3); second wrapping part (3); (Note: the *intended use* of the *sheet package* is for setting it in a printer. The sheet package of Medoff is *capable of* being set in a printer.)

Claim 11: crease (See Fig. 5, 2); flap part (See Fig. 5, 7); base (5); package member (1); flap part (See Fig. 5, 7).

Medoff does not directly show a first or second fastening member (Claim 13: cut) located on a first and second side, respectively.

Fujiwara shows a similar device having a first fastening member (paragraph [0064], "tape") for the purpose of protecting the sheets while sheets are being stored or fed right up until the sheets are set in a printer (paragraph [0014]). Therefore, it would

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have been obvious to a person having ordinary skill in the art at the time the invention to modify Medoff as taught by Fujiwara and include Fujiwara's similar device having a first fastening member for the purpose of protecting the sheets while sheets are being stored or fed right up until the sheets are set in a printer.

Miller shows a similar device having a second fastening member (56) for the purpose of securely and releasably retaining the flap member or part (paragraph [0035]). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention to modify JP48 as taught by Miller and include Miller's similar device having a second fastening member for the purpose of securely and releasably retaining the flap member or part.

Claim 15, as understood by the Examiner, is rejected under 35 U.S.C. 103(a) as being unpatentable over Ishiduka, et al. (US 6,217,019) ("Ishiduka") in view of Fujiwara and further in view of Miller. Ishiduka discloses:

Claim 15: printer (column 1, line 7); package member (20); recloseable flap member (20d/20e); indicator part (29a); window of the printer (44; Note: 35 is part of the printer); joining part (20g).

Ishiduka does not directly show a first or second fastening member located on a first and second side, respectively.

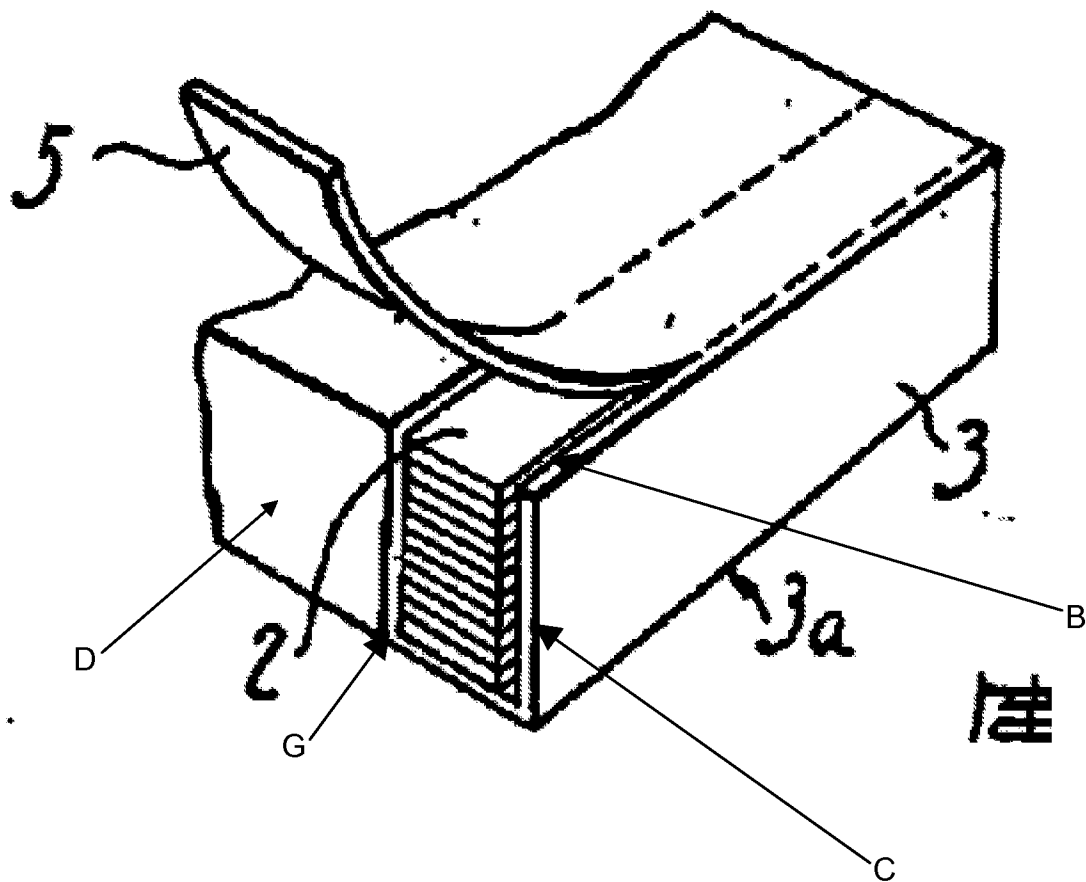
Fujiwara shows a similar device having a fastening member (paragraph [0064], "tape") for the purpose of protecting the sheets while sheets are being stored or fed right

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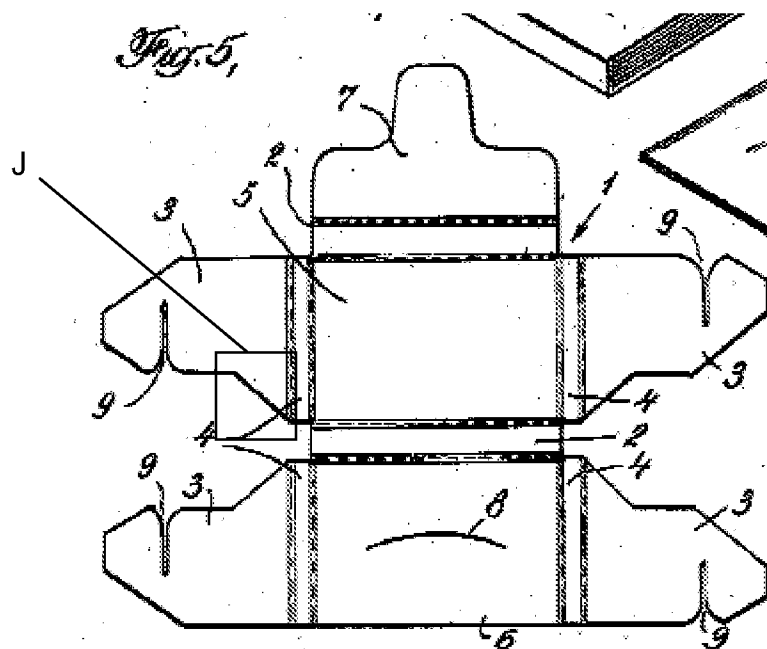
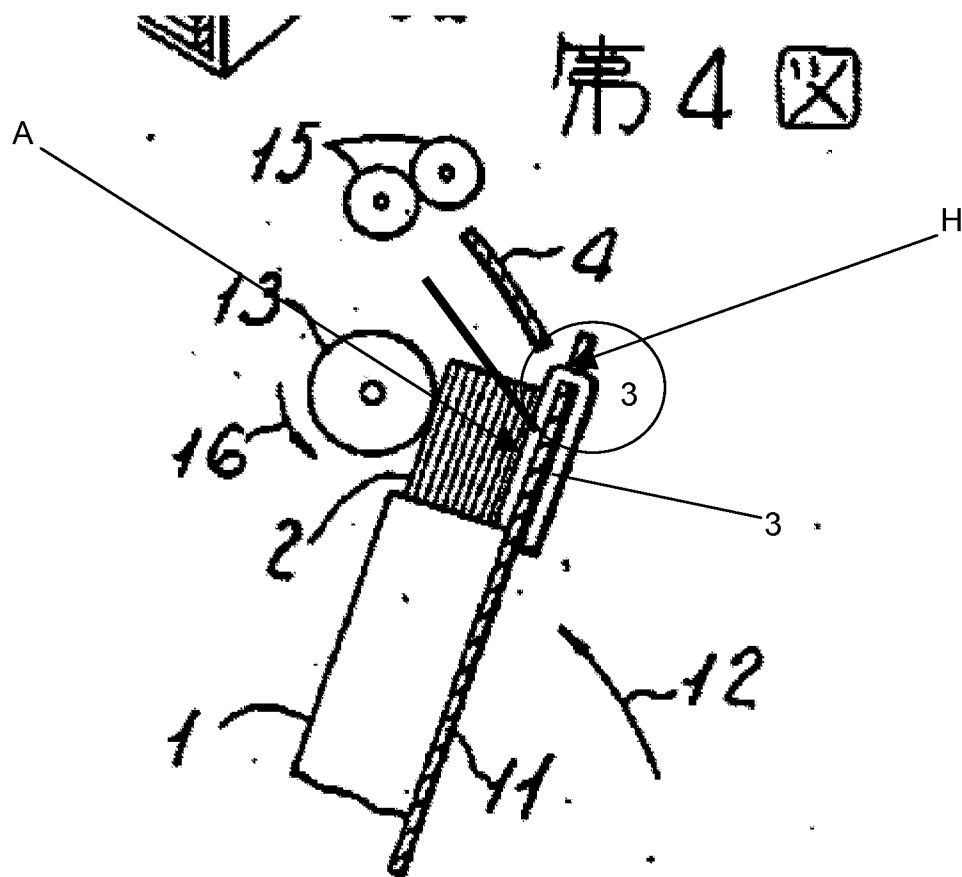
up until the sheets are set in a printer (paragraph [0014]). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention to modify Ishiduka as taught by Fujiwara and include Fujiwara's similar device having a fastening member for the purpose of protecting the sheets while sheets are being stored or fed right up until the sheets are set in a printer.

Miller shows a similar device having a second fastening member (56) for the purpose of securely and releasably retaining the flap member or part (paragraph [0035]). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention to modify JP48 as taught by Miller and include Miller's similar device having a second fastening member for the purpose of securely and releasably retaining the flap member or part.

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Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over JP48 in view of Fujiwara and further in view of Miller and Medoff. JP48 discloses all the limitations of the claims as discussed above. JP48 does not directly show a tongue part (See figure 4 above, A of JP48) provided with a cut into which the flap part (3 of JP48; See figure 4 above for all parts of 3.) is inserted to be fixed in the closed state (See Claim 1. Note: the closed state does not require the *entire* exposed part of the sheets to be covered by the flap part).

Medoff shows a tongue part provided with a cut (8) into which the flap part is inserted to be fixed in the closed state for the purpose of being able to be refilled easily and quickly when emptied (page 1, column 1, lines 9-10). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention to modify JP48 as taught by Medoff and include Medoff's similar device having a cut into which the flap part is inserted to be fixed in the closed state for the purpose of being able to be refilled easily and quickly when emptied.

Claim 15, as understood by the Examiner, is rejected under 35 U.S.C. 103(a) as being unpatentable over Stier in view of Ishiduka. Stier discloses:

Claim 15: printer (abstract); package member (20); recloseable flap member (18); joining part (40A/40B); first fastening member (38); first side (24); second fastening member (36); second side (22).

Stier does not directly show an indicator part or a window of the printer.

Ishiduka shows a similar device having an indicator part (29a) and a window of the printer (44; Note: 35 is part of the printer) for the purpose of reading the paper information from a bar code (column 6, lines 23-24). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention to modify Stier as taught by Ishiduka and include Ishiduka's similar device having an indicator part and a window of the printer for the purpose of reading the paper information from a bar code.

Response to Arguments

Applicant's arguments with respect to Claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GERALD W. MCCLAIN whose telephone number is (571)272-7803. The examiner can normally be reached on Monday through Friday from 7:30 a.m. to 4:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick H. Mackey can be reached on (571) 272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Art Unit 3653

/Patrick H. Mackey/

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